

## Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

      DOTE-00 INR-10 NSAE-00 RSC-01 FAA-00 L-03 SS-20 NSC-07

      PRS-01 PA-04 USIA-15 DRC-01 /108 W

                                  093992

R 201541Z JUN 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3330

LIMITED OFFICIAL USE SECTION 01 OF 02 BONN 09784

E.O. 11652: N/A

TAGS: ETRN, GW

SUBJECT: CIVAIR - FRG POLICY ON DUAL STOPS

REF: A. BONN 9555; B. STATE 122147

1. AS BRIEFLY REPORTED IN REFTEL A, EMBASSY CAA  
DISCUSSED FRG DUAL STOP POLICY WITH AVIATION OFFICIAL  
NIESTER DURING THE JUNE 14 MEETING CONCERNED  
PRIMARILY WITH THE SATURN CHARTER OF JUNE 18.

2. FOLLOWING PRESENTATION OF USG VIEWS ON THE BASIS  
OF THE DEPARTMENT'S INSTRUCTION (REF B), NIESTER  
OUTLINED THE FRG'S POLICY WITH REGARD TO DUAL STOPS  
INVOLVING OTHER EUROPEAN POINTS IN CONSIDERABLE  
DETAIL. FIRST OF ALL, HE POINTED OUT, THE US/FRG  
MEMORANDUM OF UNDERSTANDING (MOU) DEALS SOLELY WITH  
QUESTIONS OF "CHARTER WORTHINESS" OF DIFFERENT  
CATEGORIES OF CHARTER TRAFFIC AND DOES NOT RPT NOT  
TOUCH UPON THE QUESTION OF TRAFFIC RIGHTS. THEREFORE,  
AS THE FRG SAW IT, THE PROBLEM ARISING IN CONNECTION  
WITH THE SATURN FLIGHT WAS NOT ONE OF COMMINGLING.  
NIESTER RECALLED THAT DURING THE JANUARY 1974 TALKS  
AT BONN, THE FRG, AS DID OTHER EUROPEAN COUNTRIES,  
EXPRESSED ITSELF STRONGLY IN FAVOR OF CEASING  
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AFFINITY OPERATIONS ALTOGETHER, BUT HAD FINALLY

ACCEPTED THE CONTINUATION OF USA-ORIGIN AFFINITIES FOR THE TIME BEING. SUBSEQUENTLY, A NUMBER OF AFFINITY FLIGHT FILINGS BY US CARRIERS INVOLVING DUAL STOPS IN EUROPE HAD BEEN RECEIVED AND TURNED DOWN BECAUSE AN OBVIOUS PATTERNS WAS DEVELOPING AND BECAUSE THE FRG FELT THAT THE EXPANSION OF AFFINITIES SHOULD BE LIMITED TO A CERTAIN EXTENT. NIESTER POINTED OUT THAT ONLY ABC FLIGHTS ARE PERMITTED FROM THE FRG AND IT WOULD BE A GREAT ADVANTAGE FOR US CARRIERS IF THEY COULD NOT ONLY CONTINUE OPERATION OF AFFINITIES BUT ALSO MAKE DUAL OR TRIPLE STOPS IN EUROPE, ENJOYING AN ALMOST UNLIMITED FLEXIBILITY OF OPERATION. HE STRESSED THAT THE FRG POLICY AGAINST DUAL STOPS IS EQUALLY APPLICABLE TO ABC OPERATIONS.

3. NIESTER THEN REFERRED TO THE EXTREMELY UNFAVORABLE ECONOMIC SITUATION OF SCHEDULED CARRIERS IN THE NORTH ATLANTIC MARKET. HE FELT THIS WAS ANOTHER REASON WHY AFFINITY CHARTER OPERATIONS SHOULD NOT BE UNDULY FAVORED, AND ADDED THAT FROM AN FRG POLICY VIEWPOINT THE PRIMARY OBJECTIVE OF CHARTER OPERATIONS SHOULD BE DIRECT TRAFFIC BETWEEN COUNTRY OF ORIGIN AND OF DESTINATION, SINCE THIS MINIMIZED THE IMPACT OF CHARTERS ON THE PATTERN OF SCHEDULED SERVICES.

4. WITH REFERENCE TO THE POINT WE MADE THAT CONDOR HAD RECEIVED MULTIPLE STOP RIGHTS IN THE US, NIESTER SAID THAT THIS AUTHORITY DID NOT TURN OUT TO BE SO SIGNIFICANT IN ACTUAL FACT BECAUSE OF THE PRO-RATA PROVISIONS. AS AN EXAMPLE, SINCE PASSENGERS ON FLIGHTS FRANKFURT-NEW YORK-LOS ANGELES OR FRANKFURT-CHICAGO-LOS ANGELES ALL HAD TO PAY THE SAME FARE, REGARDLESS OF THEIR INDIVIDUAL DESTINATIONS, THERE WAS NO REAL INCENTIVE IN MARKETING MULTIPLE STOP FLIGHTS.

5. TOWARDS THE END OF THE MEETING, THE CAA ONCE AGAIN RAISED THE QUESTION OF DUAL STOPS IN CONNECTION WITH COMMINGLING OF CIVIL/MILITARY CHARTER TRAFFIC AND AFFINITY GROUPS WHICH, IF THE POLITY OUTLINED LIMITED OFFICIAL USE

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ABOVE WERE STRINGENTLY APPLIED, MIGHT SERIOUSLY AFFECT THE FREQUENCY OF FLIGHTS AVAILABLE TO US FORCES PERSONNEL AND THEIR DEPENDENTS. NIESTER AGREED THAT THIS MIGHT BE A SITUATION WHICH WOULD JUSTIFY AN EXEMPTION TO THE GENERAL POLICY. BECAUSE OF LEGAL IMPLICATIONS, HOWEVER, HE FELT THAT HE COULD NOT MAKE A DECISION WITHOUT DR. REHM'S CONSENT.

6. FOLLOWING NIESTER'S DISCUSSION WITH REHM, THE  
EMBASSY RECEIVED AUTHORIZATION FOR THE SATURN  
CHARTER ON JUNE 18 AND A TELEX OUTLINING CONDITIONS

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INFO OCT-01 EUR-25 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

DOT-00 INR-10 NSAE-00 RSC-01 FAA-00 L-03 SS-20 NSC-07

PRS-01 PA-04 USIA-15 DRC-01 /108 W

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R 201541Z JUN 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3331

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UNDER WHICH EXEMPTION WOULD BE GRANTED THROUGH  
DECEMBER 31, 1974. THERE FOLLOWS AN INFORMAL  
TRANSLATION OF THE MESSAGE:  
BEGIN QUOTE. IN VIEW OF THE SPECIAL CIRCUMSTANCES  
CONNECTED WITH THE TRANSPORTATION OF MILITARY  
PERSONNEL IN CONJUNCTION WITH AFFINITY GROUP CHARTER  
FLIGHTS, I AM PREPARED TO APPROVE IN EXCEPTIONAL  
CASES THE APPLICATIONS OF US CARRIERS FOR FLIGHTS  
INVOLVING A COMMERCIAL LANDING IN A EUROPEAN COUNTRY  
AND A COMMERCIAL LANDING IN THE FEDERAL REPUBLIC OF  
GERMANY, IF THE LATTER SERVES TO EMPLANE OR DEPLANE  
ONE OR SEVERAL GROUPS OF MILITARY PERSONNEL AS  
DEFINED IN MY REGULATION AIC-C 19/71. THIS ARRANGE-  
MENT SHALL APPLY ONLY TO FLIGHTS OPERATED THROUGH  
DECEMBER 31, 1974. IN ADDITION, I WISH TO REITERATE  
MY ORALLY PRESENTED POSITION THAT THE AUTHORIZATION  
OF DUAL STOPS IS A QUESTION OF TRAFFIC RIGHTS, AND  
AS SUCH WAS NOT SETTLED IN THE MEMORANDUM OF  
UNDERSTANDING BETWEEN OUR TWO COUNTRIES. SIGNED:

FOR THE FEDERAL MINISTER OF TRANSPORT - NIESTER. END  
QUOTE.

7. COMMENT: THE EMBASSY HAS THE IMPRESSION THAT  
THE FRG IS NOT LIKELY TO CHANGE IN THE NEAR FUTURE  
ITS DUAL STOP POLICY, WHICH IS EQUALLY APPLICABLE TO  
CHARTER TRAFFIC OF VARIOUS CATEGORIES, INCLUDING  
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ABC AND AFFINITY GROUP TRAVEL. THE PROVISIONS FOR  
EXEMPTIONS TO THIS POLICY WITH RESPECT TO CIVIL/  
MILITARY CHARTER TRAFFIC AND AFFINITY GROUPS,  
AUTHORIZING DUAL STOPS, INCLUDING A POINT IN ANOTHER  
EUROPEAN COUNTRY, ARE PROBABLY ALL WE CAN HOPE FOR  
UNDER THE PRESENT CIRCUMSTANCES AND ARE UNDOUBTEDLY  
A CONCESSION IN THE INTEREST OF THE STATIONED FORCES.  
NIESTER EXPRESSED GREAT HOPE THAT THE NEXT ROUND OF  
TALKS BETWEEN THE US, CANADA AND ECAC WILL BRING  
ABOUT FURTHER HARMONIZATION OF NORTH ATLANTIC  
CHARTER RULES.  
HILLENBRAND

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, SUPPLEMENTAL AIRLINES, NEGOTIATIONS, PERMITS  
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**Copy:** SINGLE  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Disposition Reason:**  
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